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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/369,114	08/05/1999	JASON A. KRONZ	249768038US	6368

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EXAMINER

FLYNN, KIMBERLY D

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 03/11/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/369,114

Applicant(s)

KRONZ, JASON A.

Examiner

Kimberly D Flynn

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 16-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 36 and 38-42 is/are allowed.
- 6) ☒ Claim(s) 1-11, 16-35 and 37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 15.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

1. This application is in response to an Amendment filed December 17, 2003. Claims 1-11, and 16-42 are presented for further consideration.

### *Claim Rejections – 35 U.S.C. 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-11, 16, 18, 31-35, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta (6,446,109) in further view of Rosenberg et al. (6,446,108).

In considering claim 1, 7, 8, 31-35 and 37 Gupta discloses a method for enabling a first consumer device that is able to communicate only with local devices to access services of a remote second device, comprising the steps of:

a communications link interface (221) for communicating between the server device and the client device, a network interface (220) for communicating between the server device and a second server device; and a processing unit (200), being operable to send and receive data over the communications link interface and over the network interface (See fig. 2, and col. 7, lines 16-54), the processing unit being further operable to:

enabling establishment a link between the first consumer device and the remote second device via multiple intermediate servers (See fig. 3), by

- establishing a first communicative connection (322) between the first consumer device (306) and a first intermediate server (308, WebTop Server) that is local to

the first consumer device (See fig. 3. and col. 8, lines 50-53);

- establishing a second communicative connection (324) between the first intermediate server (308) and a second intermediate server (310, Application Server) that is remote from the first server and that is local to the second device (312, Database Server) (See fig. 3 and col. 8, lines 53-55);
- establishing a third communicative connection (326) between the second intermediate server (310) and the second device(312) (See fig. 3 and col. 8, lines 59-63);
- wherein the established link includes the first(322), second(324), and third(326) communicative connections, and wherein communications from the first consumer device(302) to the remote second device(312) are forwarded along the link by the first(308) and second servers(310) in a manner transparent to the first consumer device(see fig. 3 and col. 8, lines 11-14 and lines 41-49);

While Gupta discloses the system substantially as claimed Gupta does not disclose wherein under control of the first consumer device, the client request from the first intermediate server a listing of services available via the first intermediate server; receives the listing of multiple available services. Nonetheless, clients making service requests under the control of an intermediate server or Service Broker is well known in the art as evidenced by Rosenberg.

In similar art Rosenberg discloses a system wherein a Service Broker receives service requests and answers with service replies and service type replies (See Rosenberg col. 4, lines 51-61). Thus given the teachings of Rosenberg a person having ordinary

skill in the art would have readily recognized the uses and advantages of modifying the system as disclosed by Gupta to include the step of providing a listing of available services from the intermediate or Broker server to ensure that the client only requests services that are available. Therefore the claimed limitation would have been an obvious modification to the system as disclosed by Gupta.

Gupta further discloses, receiving from the first intermediate server one of the multiple available services, the requested service available to be provided by the remote second device; and after the first intermediate server forwards an indication of the requested service to the remote second device via the established link, performing the requested service at the remote second device (col. 9, lines 55-60 and col. 10, lines 14-27).

In considering claim 2, Gupta further discloses a method wherein the step of establishing the second communicative connection further comprises the step of verifying that the first device has authorization to establish the second communicative connection (col. 11, lines 3-12).

In considering claim 4, Rosenberg further discloses the step of reporting to the first device a listing of services available from the second device (See Rosenberg col. 4, lines 51-61).

In considering claims 5, 6, and 9, Gupta further discloses a method wherein the establishing of the first and third communicative connection comprises the step of establishing a wireless communicative connection between the first consumer device and the first server and the second consumer device and the second server (col. 7, lines 24-27).

In considering claim 10, the limitations of claim 10 are substantially the same as claims 1 and 2, therefore the same grounds of rejection are applicable.

In considering claim 11, the limitations of claim 11 are substantially the same as claims 1 and 2, therefore the same grounds of rejection are applicable.

In considering claim 16, Gupta discloses a system for allowing client devices remote from each other to communicate via intermediate server devices, the system comprising: (See. fig. 3)

a local server (320, WebTop Server) able to communicatively couple to a client device (306) that is local to the local server, the local client device designed to communicate only with other local client devices, the local server also able to communicatively couple to a remote server (310, Application server),

the local server operative to receive a request from the local client device for an indicated service to be performed provide a request message to the remote server to perform the indicated service, receive a response message from the remote server, the response message being affiliated with the request message, and respond to the local client device with information indicative of the response message and the remote server able to communicatively couple to the local server and to a remote client device that is local to the remote server the remote server operative to receive the request message from the local server perform further processing based on the request message and provide the response message to the local server, so that the local client device can request services that are provided by the remote client device by using the local and remote servers as intermediaries (col. 9, lines 55-60 and col. 10, lines 14-27).

In considering claim 18, Gupta further discloses a system wherein the request from the local device comprises a request to establish a logical connection between the local device and the remote server (see col. 7, lines 63-67).

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta and Rosenberg as applied to claim 1 above, and further in view of Bezair et al. (5,758,088).

In considering claim 3, although Gupta shows substantial features of the claimed invention, he fails to disclose a method further comprising the step of sending from the second device to the first device the status of the performing step. However, Bezair et al., whose invention is a system in which electronic communications is sent from a workstation to a wireless device over an information service WAN, discloses such a status being sent from the second device (via Wireless Service Provider 22) to a first device (via Wireless Gateway Server 18) (see col. 5, lines 13-22). Therefore, given the teachings of Bezair et al., it would have been obvious for a person having ordinary skills in the art to modify Gupta by sending from the second device to the first device the status of the performing step in order to let the first device know why or why not the service is available.

5. Claims 17, 20, 26-28, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta as applied to claims 1 and 16 above, and further in view of Rossmann (6,430,409).

In considering claims 17, Rossmann discloses a system wherein the request from the local device comprises a request to establish a logical connection between the local device and the remote server, and includes an IP network address of the remote server (see Fig 8A, Steps 803 and 860; Fig. 1, Cellular Phone 100, Internet 140, Computer 141) (note: all messages/service requests sent from the local device to the remote server must inherently include an IP address of the computer server 141 in order for it to be correctly identified through internet 140).

In considering claim 20, Rossmann discloses a system wherein after establishing a link with the remote server, the local server receives a message from the remote server indicating that the remote server is communicatively compatible with the local device (via the TIL) (see col. 43, lines 51-63; Fig. 7, TIL Decks 760).

In considering claims 26 and 27, Rossmann discloses a system wherein the request from the local device comprises a request to disconnect a logical connection to the remote server, and the local server is operative to provide the request message to the remote server by:

transmitting to the remote server, a request to disconnect the logical connection between the local device and the remote server (see Fig. 13, "Connection Terminated") (note: a client operating with TCP inherently transmits a disconnect request to a server by turning on the FIN flag); and

wherein the receiving of the response message from the remote server includes receiving a status indicator from the remote server indicating that the logical connection is disconnected (see Fig. 13, "Connection Terminated") (note: a client operating with TCP inherently receives a disconnect status indicator from a server, in the form of an ACK – acknowledgement, when the servers receives the FIN from the client).

In considering claim 28, Rossmann discloses a system wherein the request from the local device comprises a request for the remote device to provide a service (see col. 8, lines 1-5; col. 10, lines 3-9).

In considering claim 30, Rossmann discloses a system wherein the request from the local device comprises a request for the remote device to provide a service and wherein the performing of the further processing includes requesting the remote device to perform the service



Art Unit: 2153

identified in the service request and the request message (see col. 8, lines 1-5; col. 10, lines 3-9; col. 10, lines 28-39).

6. Claims 19, 21, 22, 23, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta as applied to claims 1 and 16 above, and further in view of Bui et al. (6,412,007).

In considering claim 19, although Gupta shows substantial features of the claimed invention, he fails to specifically disclose a method in which the user identification and password are sent to the remote server. However, Bui et al., whose invention is a mechanism for authorizing a data communication session between a client and a server, discloses the establishing of a link with the remote server (see Fig 5A, 502), as well as the transmittal of user identification and password to a remote server (see col. 1, lines 39-44; col. 14, lines 42-53). Therefore, given the teachings of Bui et al., it would have been obvious for a person having ordinary skills in the art to modify Gupta by transmitting user identification to the remote server in order to provide remote authorization to access the second device, in addition to the local authorization.

Furthermore,

Bui et al. discloses a system wherein the request from the local device further includes a user identification and a password, and the providing of the request message to the remote server and the receiving of the response message from the remote server includes:

receiving a first status indicator from the remote server in response to the user identification (see Fig. 5C, Steps 530 and 540); and

receiving a second status indicator from the remote server in response to

the password (see Fig. 5C, Steps 530 and 534) (note: the user identification and password are responded to at the same time).

In considering claim 21, Bui et al. discloses a system wherein the first status indicator indicates that the user identification is not accepted by the remote server (see Fig. 5C, Step 530).

In considering claim 22, Bui et al. discloses a system wherein the first status indicator indicates that the user identification is accepted by the remote server (see Fig. 5C, Step 534).

In considering claim 23, Bui et al. discloses a system wherein the second status indicator indicates that the password provided is valid for the user identification (see Fig. 5C, Step 534) (note: as discussed above, the user identification and password are responded to at the same time by the same status indicator).

In considering claim 24, Bui et al. discloses a system wherein the second status indicator indicates that the password provided is invalid for the user identification (see Fig. 5C, Step 530).

In considering claim 25, Bui et al. discloses a system wherein the local server is operative to respond to the local device with information indicative of the response message by being further operative to:

- provide a first response if the response message indicates that the logical connection could not be established (see Fig. 5C, Step 530);

- provide a second response if the response message indicates that the user identification and password are not both acceptable by the remote server (see Fig. 5C, Step 530; col. 7, lines 42-53);

- provide a third response if the response message indicates that the logical connection is established (see Fig. 5C, Step 534); and

provide a fourth response if the response message indicates that a logical connection already exists with another server (see Fig. 5A, Step 506; Fig. 5B, Step 515).

7. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta as applied to claim 16 above, and further in view of Craddock et al. (6,351,771).

Although Rossmann shows substantial features of the claimed invention, he fails to disclose a system wherein the service request message from the local device comprises a request for the remote server to identify a device type and a service type for at least one remote device that can be communicatively coupled to the remote server. However, Craddock et al., whose invention is a distributed service network system capable of transparently converting data formats and selectively connecting to an appropriate bridge in accordance with clients characteristics, discloses such a message comprising a request to identify a device type and service type for at least one device (see col. 4, lines 49-54; col.5, lines 21-23). Therefore, given the teachings of Craddock et al., it would have been obvious for a person having ordinary skills in the art to modify Rossmann by including a request for the remote server to identify a device type and a service type for at least one remote device in order for the local server to configure the transactions of the local client to be appropriate for the remote device (e.g. memory space of the remote device).

***Allowable Subject Matter***

8. Claims 36 and 38-42 are allowed.

***Response to Arguments***

9. Applicant's arguments, filed December 17, 2003, with respect to the rejection(s) of claim(s) 1-11 and 16-42 have been fully considered and are persuasive. Therefore, the rejection

has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Gupta and Rosenberg.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KDF

Kimberly D Flynn  
Examiner  
Art Unit 2153



**FRANTZ B. JEAN**  
PRIMARY EXAMINER